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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

TONY RODRIGUEZ, SR.,

Plaintiff,

v.

**QWEST COMMUNICATIONS and
CHRIS SEUBERT,**

Defendants.

No. 05-6063-HO

OFFER OF JUDGMENT

Pursuant to Fed. R. Civ. P. 68

Pursuant to Fed. R. Civ. P. 68, Defendant Qwest Communications hereby offers to allow judgment to be taken against it in this action such that this action is dismissed with prejudice in its entirety, both as to Defendant Qwest Communications and Defendant Chris Seubert, for the total amount of \$65,000, which sum is inclusive of all costs, disbursements, and attorney fees accrued through the date of this offer.

If the judgment finally obtained is not more favorable than the offer, then Plaintiff shall not recover any costs, disbursements, and attorney fees incurred after the date of the offer, from Defendants, and Defendants shall seek an award of such costs, disbursements, and attorney fees incurred after making the offer from Plaintiff.

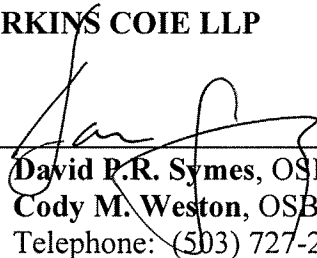
1- OFFER OF JUDGMENT

Plaintiff may accept this offer within 10 days of service as provided by the terms of Rule 68. If plaintiff does not timely accept this offer, then it will be deemed withdrawn. This offer is made solely for the purposes specified in Rule 68 and evidence of this offer (whether accepted or not) shall not be admissible in any other or subsequent proceeding, except in a proceeding in this action to determine costs, disbursements, and attorney fees accrued through the date of this offer. This offer (whether accepted or not) is not to be construed as an admission that Defendants are liable in this action or that the Plaintiff has suffered any damage.

DATED: September 1, 2006.

PERKINS COIE LLP

By


David P.R. Symes, OSB No. 96135
Cody M. Weston, OSB No. 98429
Telephone: (503) 727-2000

Of Attorneys for Defendants

2- **OFFER OF JUDGMENT**

[13141-2038/PA062440.015]

Perkins Coie LLP
1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128
Phone: (503) 727-2000
Fax: (503) 727-2222

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served the foregoing **OFFER OF JUDGMENT** on:

Martha L. Walters
Katie Chamberlain
Walters Chanti & Zennache, P.C.
245 E. 4th Avenue
Eugene, OR 97401
mwalters@wczone.com

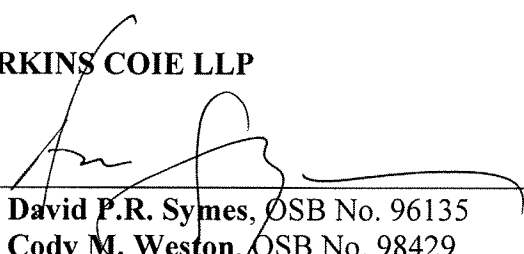
by causing a full, true, and correct copy thereof, addressed to the last-known office address of the attorney (except when served by fax), to be sent by the following indicated method or methods, on the date set forth below:

- ☒ by **mailing** in a sealed, first-class postage-prepaid envelope and deposited with the United States Postal Service at Portland, Oregon.
- ☒ by electronic mail.
- ☐ by **hand-delivery**.
- ☐ by sending via **overnight courier** in a sealed prepaid envelope.
- ☐ by **faxing** to the attorney at the fax number shown above, which is the last-known fax number for the attorney's office.

DATED: September 1, 2006.

PERKINS COIE LLP

By


David P.R. Symes, OSB No. 96135
Cody M. Weston, OSB No. 98429
Telephone: (503) 727-2000

Attorneys for Defendants

Martha L. Walters, OSB #77315
mwalters@wczonline.com
Katherine C. Chamberlain, OSB #04258
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245 East 4th Avenue
Eugene, OR 97401-2429
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Attorneys for Tony Rodriguez, Sr.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

TONY RODRIGUEZ, SR.,

Plaintiff,

vs.

**QWEST CORPORATION and CHRIS
SEUBERT,**

Defendants.

Case No. 05-6063-HO

**PLAINTIFF'S NOTICE OF ACCEPTANCE
OF OFFER OF JUDGMENT**

Pursuant to Fed. R. Civ. P. 68, Plaintiff hereby accepts Defendants' Offer of Judgment dated September 1, 2006.

DATED September 7, 2006.

WALTERS CHANTI & ZENNACHÉ, P.C.

By: 

Katherine C. Chamberlain

Phone: 541/683-2506

Facsimile: 541/683-3149

kchamberlain@wczonline.com

Attorney for Plaintiff Tony Rodriguez, Sr.

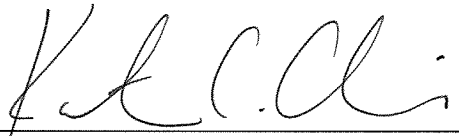
PLAINTIFF'S NOTICE OF ACCEPTANCE OF OFFER OF JUDGMENT

CERTIFICATE OF SERVICE

I caused a true, full and complete copy of the foregoing **PLAINTIFF'S NOTICE OF ACCEPTANCE OF OFFER OF JUDGMENT** to be served on counsel for Defendants by electronic transmission and by first-class mail posted on September 7, 2006, enclosed in a sealed envelope, postage prepaid and addressed to:

David P.R. Symes
Attorney at Law
Perkins Coie LLP
1120 NW Couch Street Tenth Floor
Portland OR 97209-4128
Email: dsymes@perkinscoie.com
Of Attorneys for Defendants

WALTERS CHANTI & ZENNACHÉ, P.C.

By: 
Katherine C. Chamberlain, OSB #04258
Of Attorneys for Plaintiff